IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WP(C).No. 3664 of 2007(J)

PETITIONER:

1. KURIAN MATHEW,
   NADAKKAL HOUSE, HILL PALACE ROAD,
   TRIPUNITHURA, ERNAKULAM DISTRICT.

2. JOSEPH MATHEW,
   NADAKKAL HOUSE, HILL PALACE ROAD,
   TRIPUNITHURA, ERNAKULAM DISTRICT.

BY ADV. SRI.P.V.BABY

RESPONDENTS:

1. PEOPLE'S URBAN CO-OPERATIVE BANK LTD.
   NO.51, TRIPUNITHURA, REPRESENTED BY
   ITS GENERAL MANAGER.

2. SPECIAL SALE OFFICER,
   PEOPLE'S URBAN CO-OPERATIVE BANK GROUP,
   OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE
   SOCIETY (GENERAL), KANAYANNOOR, ERNAKULAM.

BY SENIOR GOVERNMENT PLEADER, SRI P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

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W.P.(C) No. 3664 of 2007 (J)

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Dated this the 2nd day of February, 2007

J U D G M E N T

It is conceded by either side during the hearing, that the writ petitioners are defaulters to a loan amount and interest thereon, to the first respondent Urban Co-operative Bank, Tripunithura. However, after receiving the notice from the second respondent as well as initiation of proceedings for bringing the immovable properties of the writ petitioners to sale, a representation dated 30/01/2007, had been preferred before the first respondent. The same is pending.

2. In the above facts situation, I dispose of the writ petition, directing the first respondent to hear the writ petitioners and dispose of their representation dated 30/01/2007, on merit, extending the benefits and facilities, that the urban banks are entitled to grant to the writ petitioners. This shall be done within one month from the date of receipt of a copy of this judgment.

3. Till the passing of the order, on merit, on Exhibit P3 representation, as directed above, there shall be no coercive steps against the writ petitioners.

(J.M.JAMES)
Judge

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